



United States
Department of
Agriculture

Food and
Consumer
Service

DEC 17 1998

Reply to
Attn. of: SFSP-359

Subject: Summer Food Service Program (SFSP) Policy
Memorandum # 6-99: Waiver of Site Limits for
Private Nonprofit Organization Sponsors

To: STATE AGENCY DIRECTORS - Colorado Ed, Iowa, Kansas,
(Child Nutrition Programs) Missouri DH, Montana OPI,
Nebraska ED, North Dakota,
South Dakota, Utah and
Wyoming DHSS

This memorandum extends the authority that Regional Offices (RO) have to approve waivers of site limits for private nonprofit organization sponsors. It is a continuation, with some changes resulting from reauthorization, of Policy Memorandum SFSP-333, issued on March 23, 1998. This memorandum is effective for administering the SFSP beginning October 1, 1998, the effective date of the law, and will remain in effect until superseded by regulation or future memorandum.

Policy Memorandum SFSP-333 allowed ROs to grant waivers pertaining to Section 13(a)(7)(B)(i) of the National School Lunch Act (NSLA), and Sections 225.6(b)(6)(ii) and 225.14(d)(7)(ii) of SFSP Regulations. Those provisions set limits on the numbers of sites and children that private nonprofit organization sponsors may be approved to serve.

The Child Nutrition Reauthorization Act of 1998 (Public Law 105-336), signed into law on October 31, 1998, amended Section 13(a)(7)(B)(i) of the NSLA by modifying those restrictions. Private nonprofit organization sponsors may now be approved to serve up to 25 sites, regardless of the locations of their proposed sites. The law retains the limits on the number of children who may be served each day at any one site (i.e., not more than 300 children or, not more than 500 children, with a waiver granted by the State Agency (SA)). However, the law no longer limits the total daily attendance,

previously set at 2,500 children, for all sites served by a private nonprofit organization sponsor.

Through this memorandum, we are implementing the reauthorization amendments and, based on those changes, revising the waiver authority on site limits. Thus, ROs may approve requests by capable private nonprofit organization sponsors to serve more than 25 sites. In addition, these waivers may be granted for up to 3 years. This memorandum also provides the following guidance on what ROs should consider when reviewing these requests.

Eligibility

First, the SA is expected to demonstrate that it has made a systematic effort to find other eligible sponsors. SAs are expected to continue their efforts to initiate the SFSP, particularly in unserved rural areas, by recruiting public agencies, schools, camps, and other eligible organizations to become sponsors.

Second, waiver requests should provide assurance that each private nonprofit organization sponsor approved to expand its meal service is capable of administering the program in accordance with SFSP Regulations. The sponsor's staffing plan and administrative budget should show that the sponsor will devote adequate resources to supervise and monitor program compliance at all of its sites. The SA should ensure that the sponsor will not duplicate coverage of areas served by another sponsor.

Training, Technical Assistance, and Monitoring

The SA is expected to give advice and technical assistance to the sponsor, as necessary. The SA should not submit waiver requests on behalf of sponsors if they cannot fully support them. The SA should provide additional technical assistance and monitoring to help the sponsor in its administration of new program sites, particularly if the waiver is requested on behalf of a new sponsor.

Application Requirements

At a minimum, applications should:

- (1) identify the sponsor for which the waiver is being sought, including its name and address, and a general description of the size and scope of any child nutrition program in which it participates;
- (2) explain the circumstances that resulted in the request for waiver, including the efforts made to attract other sponsors and a description of the size and scope of the new sites the sponsor proposes to operate;
- (3) describe the SA's expectation as to how the waiver will improve services and the expected outcomes if the waiver is granted; and
- (4) explain the process used by the SA or the sponsor to provide notice and information to the public regarding the proposed waiver.

Reporting

If you request a waiver, please notify us, by October 1, 1999, of the total increase in the number of children served and how the waiver resulted in improved service to children.

If you have any questions, please contact our office at (303) 844-0359.



ANN C. DEGROAT
Regional Director
Child Nutrition Programs

for



United States
Department of
Agriculture

Food and
Consumer
Service

DEC 17 1998

Reply to
Attn. of: SFSP-356

Subject: Summer Food Service Program (SFSP) Policy
Memorandum #3-99: Issues Relating to Meal Service
at Sites

To: STATE AGENCY DIRECTORS - Colorado ED, Iowa, Kansas,
(Child Nutrition Programs) Missouri DH, Montana OPI,
Nebraska ED, North Dakota,
South Dakota, Utah and
Wyoming DHSS

This memorandum addresses issues relating to meal service, including policy for off-site consumption of certain food items. It is a continuation, without any changes, of Policy Memorandum SFSP-330, issued on March 4, 1998. This memorandum is effective upon issuance, and will remain in effect until superseded by regulation or future memorandum.

MEALS SERVED TO ADULTS

The primary purpose of the SFSP is to provide food service to children from needy areas during the period when area schools are closed. Meals may be served to adults under certain specific circumstances. However, they must be treated differently from those served to children, who are the intended recipients of the program's benefits. The program makes a distinction between "program adults" and "non-program adults," and the rules that apply are different. The two types of adult meals and the way they must be treated are explained below:

- **Meals served to program adults.** A "program adult" is one who works with the meal service at the site in either a volunteer or paid capacity. Meals may be served free to adults who meet this definition. Although meals served to program adults may not be claimed for reimbursement in the same way as a child's meal, the cost of meals served to program adults

is a legitimate operating cost. A sponsor is reimbursed for the lesser of: the number of meals served to children multiplied by the applicable per-meal rate of reimbursement or for actual operating costs.

- **Meals served to non-program adults.** Meals served to non-program adults are not reimbursable. Furthermore, the cost of these meals may be counted as part of the sponsor's operating costs only if the adults pay the full cost of the meal and the money received is reported as income to the program. If meals are served to non-program adults, sponsors must charge the adults at least the full cost of the meal (including food and non-food supplies, labor, and the value of commodities) or the sponsor must use other non-program funds to cover the cost of these meals.
- If the sponsor chooses to serve meals to adults, the following rules must be observed:
 - If the number of meals is limited, all children must be fed first.
 - Income from the sale of adult meals and/or non-program funds used to pay for adult meals must be reported as income to the program on the claim form to offset reported costs.
 - Meals served to children, program adults, and non-program adults must be counted and recorded separately on the daily meal count form.
 - A decision to serve meals to adults may require additional site staff to maintain program safety and integrity.

MEAL PATTERN CHANGES FOR CHILDREN UNDER SIX AND/OR TEENAGERS

The meal pattern requirements for the SFSP are designed to provide nutritious and well-balanced meals to each child. The amounts of each component required for the SFSP are designed for

children who are 6 to 12 years old. However, children of other ages may also be served meals at an SFSP site, and sponsors or site administrators may feel that the amounts may not be suitable for children of other ages. If this is the case, State Agencies (SA) should provide the following guidance:

- **Meal pattern changes for children under six.** Section 225.16(g)(2) of the regulations allows SAs to authorize sponsors to serve food in smaller quantities than are indicated in the SFSP meal pattern to children under 6 years of age. The sponsor must be able to ensure that variations in portion size are in accordance with the age levels of the children served. Sponsors wishing to serve children under 1 year of age need additional approval from their SA. In both cases, the sponsor must follow the age-appropriate meal pattern requirements contained in the Child and Adult Care Food Program (CACFP) Regulations (7 CFR Part 226). Furthermore, the form of the food should be suitable to the age of the children so that it can be easily consumed during the meal service period. For example, if fruit is cut into smaller pieces it is easier for younger children to eat. A copy of the CACFP meal patterns for children under 6 years of age is attached. Also attached is a copy of the infant meal pattern.
- **Meal pattern changes for teenagers.** Section 225.16 also allows children age 12 through 18 to be served larger portions than the minimum quantities specified for the SFSP based on the greater food needs of older children. Also, as a reminder, extra foods may always be served to improve the nutrition of participating children (that is, in addition to the food necessary to meet the meal pattern requirements).

OFF-SITE CONSUMPTION OF FOODS


In the past, the Department has required that the entire SFSP meal be consumed on-site because of the potential health hazards and possible problems of program abuse posed by off-site consumption. Specifically, there is the possibility of children becoming ill by eating perishable items many hours after the meal was served and the potential for misuse of foods taken off-site.

However, sponsors and site supervisors have long complained that children who cannot complete their whole meal on site should be allowed to take an apple away to eat later. While this appears to be a reasonable request, the distinction of what may and may not be taken off-site and the additional burden placed on site supervisors of monitoring and making such determinations have prevented this from being allowed in the past.

Although there is still a concern about food safety and sanitation and the possibility for program abuse, the Department believes that to minimize food waste and provide flexibility, some relaxation of the off-site consumption prohibition is warranted. Therefore, an apple or other similar fruit or vegetable item that is part of the vegetable/fruit component of the meal may be taken off-site for later consumption. The food must have been from the child's own meal or left on a "sharing table" by another child who did not want it.

We believe that allowing foods to be taken off-site may place a burden on site supervisors. Therefore, each SA must determine if this policy will be allowed within that State and may prohibit a sponsor from using this option if there is a question as to whether it will be able to provide adequate site monitoring. Furthermore, sponsors should institute this provision only if they believe they have adequate staffing to properly administer and monitor this provision. States and sponsors choosing to implement this provision should monitor and evaluate the use of the provision to ensure that problems do not arise.

If there are any questions concerning this memorandum, please call our office at (303) 844-0359.


ANN C. DEGROAT
for Regional Director
Child Nutrition Programs

Attachments

Meal Patterns

The following meal pattern charts set forth the food components required for each reimbursable CACFP meal with the minimum required portion sizes by age.

Infants Ages Birth Through 3 Months

	COMPONENTS	QUANTITY
BREAKFAST	Infant formula (iron-fortified) or Breastmilk *	4-6 fluid ounces
SUPPLEMENT (SNACK)	Infant formula (iron-fortified) or Breastmilk *	4-6 fluid ounces
LUNCH OR SUPPER	Infant formula (iron-fortified) or Breastmilk *	4-6 fluid ounces

Infants Ages 4 Months Through 7 Months

	COMPONENTS	QUANTITY
BREAKFAST	Infant formula (iron-fortified) or Breastmilk **	4-8 fluid ounces
	Infant cereal (iron-fortified, dry) (optional)	0-3 tablespoons
SUPPLEMENT (SNACK)	Infant formula (iron-fortified) or Breastmilk *	4-6 fluid ounces
LUNCH OR SUPPER	Infant formula (iron-fortified) or Breastmilk **	4-8 fluid ounces
	Infant cereal (iron-fortified, dry) (optional)	0-3 tablespoons
	Fruit and/or vegetable (optional)	0-3 tablespoons

* Not reimbursable, but strongly encouraged.

** Reimbursable when optional component(s) is served.

Infants Ages 8 Months Through 11 Months

	COMPONENTS	QUANTITY
BREAKFAST	Infant formula (iron-fortified) or Breastmilk *** or Whole milk	6-8 fluid ounces
	Infant cereal (iron-fortified, dry)	2-4 tablespoons
	Fruit and/or vegetable	1-4 tablespoons
SUPPLEMENT (SNACK)	Infant formula (iron-fortified) or Breastmilk ** or Whole milk or 100 percent strength fruit juice	2-4 fluid ounces
	Bread or Crackers (optional)	0-½ slice 0-2 crackers
LUNCH OR SUPPER	Infant formula (iron-fortified) or Breastmilk *** or Whole milk	6-8 fluid ounces
	Infant cereal (iron-fortified, dry) and/or	2-4 tablespoons
	Meat, fish, poultry, egg yolk or	1-4 tablespoons
	Cooked dry beans or peas or	1-4 tablespoons
	Cheese or	½-2 ounces
	Cottage cheese, cheese food, cheese spread	1-4 ounces
	Fruit and/or vegetable	1-4 tablespoons

** Reimbursable when optional component(s) is served.

*** Reimbursable when the other components are served.

The USDA publication *Feeding Infants, A Guide for Use in the Child Care Food Program* provides information on breastfeeding, basic tips on introducing solid foods, and tips on sanitation, food preparation, and food handling.

Breakfast Meal Pattern for Children Ages 1 Through 12

COMPONENTS	AGES 1 AND 2	AGES 3 THROUGH 5	AGES 6 THROUGH 12 ¹
MILK Milk, fluid	½ cup ²	¾ cup	1 cup
VEGETABLES AND FRUITS Vegetable(s) and/or fruit(s) or 100 percent strength fruit or vegetable juice or An equivalent quantity of any combination of the above	¼ cup	½ cup	½ cup
BREAD AND BREAD ALTERNATES³ Bread or Cornbread, biscuits, rolls, muffins, etc. or Cold dry cereal ⁴ or Cooked cereal or Cooked pasta or noodle products or Cooked cereal grains or An equivalent quantity of any combination of bread and bread alternate	½ slice ½ serving ¼ cup or 1/3 oz. ¼ cup ¼ cup ¼ cup	½ slice ½ serving 1/3 cup or ½ oz. ¼ cup ¼ cup ¼ cup	1 slice 1 serving ¾ cup or 1 oz. ½ cup ½ cup ½ cup

Note: Indicated endnotes can be found on page 6.

Supplement (Snack) Meal Pattern for Children Ages 1 Through 12

COMPONENTS (Serve two food items selected from any two of these four components)	AGES 1 AND 2	AGES 3 THROUGH 5	AGES 6 THROUGH 12 ¹
MILK Milk, fluid	½ cup ²	½ cup	1 cup
VEGETABLES AND FRUITS Vegetable(s) and/or fruit(s) or 100 percent strength fruit or vegetable juice or An equivalent quantity of any combination of the above (Juice may not be served when milk is the only other component)	½ cup	½ cup	¾ cup
BREAD AND BREAD ALTERNATES³ Bread or Cornbread, biscuits, rolls, muffins, etc. or Cold dry cereal ⁴ or Cooked cereal or Cooked pasta or noodle products or Cooked cereal grains or An equivalent quantity of any combination of the above bread and bread alternates	½ slice ½ serving ¼ cup or 1/3 oz. ¼ cup ¼ cup ¼ cup	½ slice ½ serving 1/3 cup or ½ oz. ¼ cup ¼ cup ¼ cup	1 slice 1 serving ¾ cup or 1 oz. ½ cup ½ cup ½ cup
MEAT AND MEAT ALTERNATES Lean meat or poultry or fish ⁵ or Cheese or Eggs or Cooked dry beans or peas or Peanut butter or soynut butter or other nut or seed butters or *Peanuts or soynuts or tree nuts or seeds ⁶ or Yogurt, plain or sweetened and flavored or An equivalent quantity of any combination of the above meat and meat alternates	½ oz. ½ oz. ½ egg 1/8 cup 1 tbsp. ½ oz. 2 oz. or ¼ cup	½ oz. ½ oz. ½ egg 1/8 cup 1 tbsp. ½ oz. 2 oz. or ¼ cup	1 oz. 1 oz. 1 egg ¼ cup 2 tbsp. 1 oz. 4 oz. or ½ cup

Note: Indicated endnotes can be found on page 6.

* Caution: Children under 5 are at the highest risk of choking. USDA recommends that nuts and/or seeds be served to them in a prepared food and be ground or finely chopped.

Lunch or Supper Meal Pattern for Children Ages 1 Through 12

COMPONENTS	AGES 1 AND 2	Ages 3 THROUGH 5	AGES 6 THROUGH 12 ¹
MILK Milk, fluid	½ cup ²	¾ cup	1 cup
VEGETABLES AND FRUITS⁷ Vegetable(s) and/or fruit(s)	¼ cup total	½ cup total	¾ cup total
BREAD AND BREAD ALTERNATES³ Bread or Cornbread, biscuits, rolls, muffins, etc. or Cooked pasta or noodle products or Cooked cereal grains or An equivalent quantity of any combination of bread and bread alternates	½ slice ½ serving ¼ cup ¼ cup	½ slice ½ serving ¼ cup ¼ cup	1 slice 1 serving ½ cup ½ cup
MEAT AND MEAT ALTERNATES Lean meat or poultry or fish ⁵ or Cheese or Eggs or Cooked dry beans or peas or Peanut butter or soynut butter or other nut or seed butters or *Peanuts or soynuts or tree nuts or seeds ⁶ or An equivalent quantity of any combination of the above meat and meat alternates	1 oz. 1 oz. 1 egg ¼ cup 2 tbsp. ½ oz. ⁸ = 50%	1 ½ oz. 1 ½ oz. 1 egg ⅜ cup 3 tbsp. ¾ oz. ⁸ = 50%	2 oz. 2 oz. 1 egg ½ cup 4 tbsp. 1 oz. ⁸ = 50%

Note: Indicated endnotes can be found on page 6.

* Caution: Children under 5 are at the highest risk of choking. USDA recommends that nuts and/or seeds be served to them in a prepared food and be ground or finely chopped.

Endnotes

1. While children age 12 and up may be served larger portions based on their development and greater food needs, they must be served the minimum quantities specified in this section for children ages 6 through 12.
2. For the purposes of the requirements, a cup means a standard measuring cup.
3. Bread, pasta or noodle products, and cereal grains must be wholegrain or enriched; cornbread, biscuits, rolls, muffins, etc., must be made with wholegrain or enriched meal or flour; cereal must be wholegrain or enriched or fortified.
4. Either volume (cup) or weight (ounce), whichever is less.
5. Edible portion as served.
6. Tree nuts and seeds that may be used as meat alternates are listed in Program Aid 1331, Food Buying Guide for Child Nutrition Programs (1984, 1990—Supplements Added 1993).
7. Serve two or more different kinds of vegetable(s) and/or fruit(s). 100 percent strength vegetable or fruit juice may be counted to meet not more than one-half of this requirement.
8. No more than 50 percent of the requirement shall be met with nuts or seeds. Nuts or seeds must be combined with another meat/meat alternate to fulfill the requirement. For the purpose of determining combinations, 1 ounce of nuts or seeds is equal to 1 ounce of cooked lean meat, poultry, or fish.